

116TH CONGRESS  
2D SESSION

# S. 4194

To establish the National Institute of Manufacturing, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 2, 2020

Mr. PETERS introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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# A BILL

To establish the National Institute of Manufacturing, and  
for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Institute of  
5   Manufacturing Act”.

6 **SEC. 2. DEFINITIONS.**

7       In this Act:

8           (1) CHIEF MANUFACTURING OFFICER.—The  
9       term “Chief Manufacturing Officer” means the prin-  
10      cipal advisor to the Secretary regarding manufac-  
11      turing issues and the Director of the Institute.

1                             (2) COUNCIL.—The term “Council” means the  
2                             National Manufacturing Council established under  
3                             section 4.

4                             (3) INSTITUTE.—The term “Institute” means  
5                             the National Institute of Manufacturing established  
6                             under section 3.

7                             (4) INSTITUTION OF HIGHER EDUCATION.—The  
8                             term “institution of higher education” has the  
9                             meaning given the term in section 102 of the Higher  
10                             Education Act of 1965 (20 U.S.C. 1002).

11                             (5) NATIONAL STRATEGIC PLAN FOR MANUFAC-  
12                             TURING.—The term “national strategic plan for  
13                             manufacturing” means the national strategic plan  
14                             for manufacturing developed under section 3(c)(1).

15                             (6) SECONDARY SCHOOL.—The term “sec-  
16                             ondary school” has the meaning given the term in  
17                             section 8101 of the Elementary and Secondary Edu-  
18                             cation Act of 1965 (20 U.S.C. 7801).

19                             (7) SECRETARY.—The term “Secretary” means  
20                             the Secretary of Commerce.

21                             (8) TRANSITION PERIOD.—The term “transi-  
22                             tion period” means the 1-year period beginning on  
23                             the date of enactment of this Act.

1   **SEC. 3. ESTABLISHMENT OF NATIONAL INSTITUTE OF MAN-**

2                 **UFACTURING.**

3                 (a) ESTABLISHMENT.—There is established in the  
4     Department of Commerce an institute to be known as the  
5     “National Institute of Manufacturing”.

6                 (b) MISSION.—The primary missions of the Institute  
7     are to—

8                     (1) ensure global leadership in advanced manu-  
9     facturing technologies critical to the long-term eco-  
10    nomic and national security of the United States;

11                  (2) restore and strengthen the United States  
12    industrial commons, which includes the essential  
13    skills, equipment, and suppliers that provide the  
14    foundation for the innovativeness and competitive-  
15    ness of all United States manufacturers;

16                  (3) strengthen the technical, financial, and edu-  
17    cational conditions and assets necessary to ensure  
18    that the United States is the best location for the  
19    creation and production of advanced technologies  
20    emerging from national research and development  
21    investments;

22                  (4) capitalize on the scientific and technological  
23    advances produced by researchers and innovators in  
24    the United States by developing capable and respon-  
25    sive institutions focused on advancing the technology

1 and manufacturing readiness levels of those ad-  
2 vances;

3 (5) support the discovery, invention, scale-up,  
4 and transition of new products and manufacturing  
5 technologies to full-scale production in the United  
6 States;

7 (6) address the evolving needs of manufacturers  
8 to find a diverse set of workers with the necessary  
9 skills, training, and expertise;

10 (7) improve and expand manufacturing engi-  
11 neering and technology offerings within institutions  
12 of higher education and secondary schools to be  
13 more closely aligned with the needs of the United  
14 States manufacturing sector and the goal of  
15 strengthening the long-term competitiveness of  
16 United States manufacturing; and

17 (8) work collaboratively with other Federal  
18 agencies, State and local governments, Tribal gov-  
19 ernments, regional authorities, economic develop-  
20 ment organizations, labor organizations, and institu-  
21 tions of higher education to leverage their knowl-  
22 edge, resources, and programs to foster manufac-  
23 turing in the United States and anticipate and pre-  
24 pare for emergencies and global, national, and re-  
25 gional supply chain disruptions.

1       (c) FUNCTIONS.—In carrying out the purposes of this  
2 Act, the Institute shall—

3                 (1) convene key industry, academic, defense,  
4 government, and other stakeholders to develop a na-  
5 tional strategic plan for manufacturing in the  
6 United States that would identify short-, medium-,  
7 and long-term needs and priorities of the manufac-  
8 turing sector in the United States, including emer-  
9 gency readiness;

10                 (2) monitor the status of technological develop-  
11 ments, critical production capacity, skill availability,  
12 investment patterns, emerging defense needs, and  
13 other key indicators of manufacturing competitive-  
14 ness, such as key indicators from manufacturing  
15 dealers, to provide foresight for periodic updates to  
16 the national strategic plan for manufacturing and to  
17 guide investment decisions;

18                 (3) initiate and support discovery, invention,  
19 and translational research in engineering and manu-  
20 facturing by making contracts or other arrange-  
21 ments, including grants, awards, cooperative agree-  
22 ments, loans, and other forms of assistance, to con-  
23 duct that research and to assess the impact of that  
24 research on the economic well-being, climate impact,  
25 and national security of the United States;

- 1                             (4) administer programs that incentivize and  
2                             facilitate collaboration among private and public sec-  
3                             tor stakeholders in United States manufacturing;
- 4                             (5) award scholarships and graduate fellowships  
5                             in the engineering and manufacturing disciplines;
- 6                             (6) award industrial, academic, and govern-  
7                             mental fellowships to faculty and retired manufac-  
8                             turing experts to support the manufacturing inter-  
9                             ests of the United States;
- 10                            (7) advise United States manufacturers on  
11                             international trade and investment policies in interna-  
12                             tional markets and advise the Federal Govern-  
13                             ment on how to expand business opportunities for  
14                             United States manufacturers in international mar-  
15                             kets;
- 16                            (8) develop and assess key indicators of manu-  
17                             facturing competitiveness, including the geographic  
18                             diversity of manufacturing in the United States, and  
19                             provide interpretation and analysis of collected data  
20                             on the manufacturing sector in the United States;
- 21                            (9) provide small and medium manufacturers,  
22                             including new startups, with financial support, in-  
23                             cluding loans, counseling, training, technical assist-  
24                             ance, and advocacy;

1                         (10) identify opportunities to achieve commer-  
2                         cial-scale production of emerging technologies by  
3                         leveraging government procurement contracts, in  
4                         particular contracts of the Department of Defense;  
5                         and

6                         (11) be the primary entity with which other en-  
7                         tities in the Federal Government will consult on de-  
8                         cisions relating to manufacturing.

9                         (d) DIRECTOR AND CHIEF MANUFACTURING OFFI-  
10                         CER.—

11                         (1) IN GENERAL.—There shall be a Director of  
12                         the Institute, who shall—

13                         (A) be appointed by the President, by and  
14                         with the consent of the Senate;

15                         (B) oversee all Institute activities;

16                         (C) serve as an ex-officio member of the  
17                         Institute;

18                         (D) make recommendations regarding, and  
19                         manage, the budget of the Institute;

20                         (E) serve as the Chief Manufacturing Offi-  
21                         cer of the United States; and

22                         (F) advise and consult with the President  
23                         and the Secretary on all policy issues relating  
24                         to manufacturing.

24 (A) coordinate all activities within the De-  
25 partment of Commerce relating to manufac-

1 turing and advise and consult with the Sec-  
2 retary on all policy issues relating to manufac-  
3 turing;

4 (B) advise and consult with the Secretary  
5 and the heads of any other relevant agencies on  
6 the national security supply chain;

7 (C) foster the coordination of manufac-  
8 turing-related policies and activities across  
9 agencies as Chair of the Committee on Tech-  
10 nology of the National Science and Technology  
11 Council established under section 102 of the  
12 America COMPETES Reauthorization Act of  
13 2010 (42 U.S.C. 6622);

14 (D) promote Federal Government meas-  
15 ures, including inter-agency input on new regu-  
16 lations that affect manufacturing, and policies  
17 with the potential of advancing United States  
18 technological innovation in manufacturing and  
19 exploiting manufacturing innovations of foreign  
20 origin;

21 (E) convene key industry, labor, academic,  
22 defense, government, and other stakeholders to  
23 aid in the development of the national strategic  
24 plan for manufacturing;

(F) monitor the status of technological developments, critical production capacity, skill availability, investment patterns, emerging defense needs, and other key indicators of manufacturing competitiveness to provide foresight for periodic updates to the national strategic plan for manufacturing and to coordinate with the Chief Financial Officer and Assistant Secretary for Administration of the Department of Commerce in developing the annual budgets for manufacturing-related programs of the Department of Commerce;

(G) oversee and convene the Council;

1           tional Science Foundation, the Small Business  
2           Administration, and other agencies; and

3           (J) develop and maintain the manufac-  
4           turing.gov hub developed under section 7 to—

5               (i) help inform, and serve as the prin-  
6               cipal place of interaction between, United  
7               States manufacturers and the Federal  
8               manufacturing programs described in sec-  
9               tion 7(b)(1); and

10              (ii) provide assistance relating to—

11               (I) international trade and in-  
12               vestment matters;

13               (II) research and technology de-  
14               velopment opportunities;

15               (III) workforce development and  
16               training programs and opportunities;

17               (IV) small and medium manufac-  
18               turer needs; and

19               (V) industrial commons and sup-  
20               ply chains needs.

21           (5) TERM.—The Chief Manufacturing Officer  
22           shall serve for a term of 6 years, unless removed  
23           earlier by the President.

1       (e) DIRECTORATES.—Unless otherwise provided by  
2 the Chief Manufacturing Officer, there shall be within the  
3 Institute the following Directorates:

4                 (1) A Directorate for Technology Development,  
5 which shall—

6                         (A) make competitive awards to support  
7 discovery, invention, and translational research  
8 in the fields of engineering and manufacturing;

9                         (B) conduct prize competitions in accord-  
10 ance with section 24 of the Stevenson-Wydler  
11 Technology Innovation Act of 1980 (15 U.S.C.  
12 3719) to stimulate innovation that has the po-  
13 tential to advance manufacturing technology;

14                         (C) administer a pilot program establishing  
15 translational research centers associated with  
16 research universities, which will guide and fund  
17 research needed to translate laboratory results  
18 to testable beta prototypes and facilitate con-  
19 nections with domestic manufacturers to scale  
20 domestic production; and

21                         (D) administer other programs and activi-  
22 ties that promote technology development.

23                 (2) A Directorate for the Industrial Commons,  
24 which shall—

1                             (A) administer the Investing in Manufac-  
2                             turing Communities Partnership;

3                             (B) administer the Manufacturing USA  
4                             Program established under section 34 of the  
5                             National Institute of Standards and Technology  
6                             Act (15 U.S.C. 278s); and

7                             (C) administer other programs and activi-  
8                             ties that promote robust manufacturing innova-  
9                             tion ecosystems and support manufacturing  
10                          supply chains in the United States during emer-  
11                          gencies.

12                         (3) A Directorate for Education and Workforce  
13                          Development, which shall—

14                         (A) make competitive awards for scholar-  
15                          ships and graduate fellowships;

16                         (B) make competitive awards for indus-  
17                          trial, academic, and governmental fellowships to  
18                          faculty and retired manufacturing experts;

19                         (C) make competitive awards for research,  
20                          development, and evaluation of innovative train-  
21                          ing programs;

22                         (D) administer the Manufacturing Engi-  
23                          neering Education Program established under  
24                          section 2196 of title 10, United States Code;  
25                          and

(E) administer other programs and activities that promote the short-term and long-term workforce and education needs of the manufacturing sector.

(4) A Directorate for Small and Medium Manufacturers, which shall—

(A) administer programs for loans, investment capital, and surety bonds for small and medium manufacturing firms;

10 (B) administer the Hollings Manufacturing  
11 Extension Partnership Program established  
12 under section 25 of the National Institute of  
13 Standards and Technology Act (15 U.S.C.  
14 278k); and

(C) administer other programs and activities that help small and medium manufacturers prosper.

18 (5) A Directorate on Trade, which shall—

21 (i) advise manufacturers in the United  
22 States on trade;

1           Federal Government on trade to benefit  
2           manufacturers in the United States;

3                 (iii) receive and solicit recommenda-  
4                 tions and feedback from manufacturers in  
5                 the United States; and

6                 (iv) appoint an employee of the Office  
7                 to serve as a liaison between—

8                         (I) the Office; and

9                         (II)(aa) the United States Trade  
10                 Representative; and

11                         (bb) the Industry Trade Advisory  
12                 Committees on Aerospace Equipment,  
13                 Automotive Equipment and Capital  
14                 Goods, and Steel; and

15                 (B) manage and oversee a United States  
16                 Manufacturer Trade Council, which shall—

17                         (i) receive and solicit recommenda-  
18                 tions and feedback from manufacturers in  
19                 the United States; and

20                         (ii) in addition to voting members, be  
21                 composed of ex-officio members of the In-  
22                 dustry Trade Advisory Committees de-  
23                 scribed in subparagraph (A)(iv)(II)(bb).

24                 (f) AUTHORITIES.—In carrying out the duties under  
25                 this Act, the Institute may—

1                 (1) appoint or create such advisory committees  
2         as may be appropriate for purposes of consultation  
3         and advice to the Institute in the performance of the  
4         functions of the Institute;

5                 (2) issue rules governing the manner of oper-  
6         ations of the Institute;

7                 (3) make expenditures necessary for admin-  
8         istering the provisions in this Act;

9                 (4) enter into contracts or other arrangements  
10         with organizations and individuals in the United  
11         States and foreign countries, including other govern-  
12         ment agencies, as the Chief Manufacturing Officer  
13         determines necessary to carry out the functions of  
14         the Institute;

15                 (5) award scholarships and fellowships to citi-  
16         zens of the United States for the purpose of study  
17         or scientific work in manufacturing;

18                 (6) acquire, construct, hold, and dispose of real  
19         and personal property as the Chief Manufacturing  
20         Officer determines necessary; and

21                 (7) accept unconditional gifts or donations of  
22         services, money, or property.

23         (g) ADVISORY COMMITTEES.—The Institute shall  
24         manage and oversee the following advisory committees:

25                 (1) The Council.

1                   (2) The Manufacturing Extension Partnership  
2                   Advisory Board established under section 25(m) of  
3                   the National Institute of Standards and Technology  
4                   Act (15 U.S.C. 278k(m)).

5                   (3) The Materials Processing Equipment Tech-  
6                   nical Advisory Committee.

7                   (h) PATENT RIGHTS.—

8                   (1) IN GENERAL.—Each contract entered into  
9                   by the Director shall contain provisions governing  
10                  the disposition of inventions produced under the con-  
11                  tract.

12                  (2) PROHIBITION.—No officer or employee of  
13                  the Institute may acquire or transfer any rights  
14                  under the patent laws of the United States for any  
15                  invention achieved in performing the assigned activi-  
16                  ties of the officer or employee.

17                  (i) TRANSFER OF FUNCTIONS AND TECHNICAL AND  
18                  CONFORMING AMENDMENTS.—

19                  (1) INVESTING IN MANUFACTURING COMMU-  
20                  NITIES PARTNERSHIP.—

21                  (A) TRANSFER OF FUNCTIONS.—All func-  
22                  tions of the Investing in Manufacturing Com-  
23                  munities Partnership of the Department of  
24                  Commerce, including the personnel, assets, and  
25                  obligations of the Investing in Manufacturing

1           Communities Partnership of the Department of  
2           Commerce, as in existence on the day before the  
3           date of enactment of this Act, shall be trans-  
4           ferred to the Institute.

5           (B) DEEMING OF NAME.—Any reference in  
6           law, regulation, document, paper, or other  
7           record of the United States to the Investing in  
8           Manufacturing Communities Partnership of the  
9           Department of Commerce shall be deemed a  
10          reference to the Investing in Manufacturing  
11          Communities Partnership of the Institute.

12          (C) UNEXPENDED BALANCES.—Unex-  
13          pended balances of appropriations, authoriza-  
14          tion, allocations, or other funds related to the  
15          Investing in Manufacturing Communities Part-  
16          nership of the Department of Commerce shall  
17          be available for use by the Institute for pur-  
18          poses for which the appropriations, authoriza-  
19          tions, allocations, or other funds were originally  
20          made available.

21          (2) COMMITTEE ON TECHNOLOGY.—Section  
22          102(a) of the America Creating Opportunities to  
23          Meaningfully Promote Excellence in Technology,  
24          Education, and Science Reauthorization Act of 2010  
25          (42 U.S.C. 6622(a)) is amended by adding at the

1 end the following: “The Chief Manufacturing Officer  
2 of the United States shall serve as Chair of the  
3 Committee, as described in section 3(d)(4)(C) of the  
4 National Institute of Manufacturing Act.”.

5 (3) MANUFACTURING USA PROGRAM.—

6 (A) TRANSFER OF FUNCTIONS.—All func-  
7 tions of the Manufacturing USA Program of  
8 the Advanced Manufacturing National Program  
9 Office, including the personnel, assets, and obli-  
10 gations of the Manufacturing USA Program of  
11 the Advanced Manufacturing National Program  
12 Office, as in existence on the day before the  
13 date of enactment of this Act, shall be trans-  
14 ferred to the Directorate for the Industrial  
15 Commons of the Institute.

16 (B) DEEMING OF NAME.—Any reference in  
17 law, regulation, document, paper, or other  
18 record of the United States to the Manufac-  
19 turing USA Program of the Advanced Manufac-  
20 turing National Program Office shall be deemed  
21 a reference to the Manufacturing USA Program  
22 of the Directorate for the Industrial Commons  
23 of the Institute.

24 (C) UNEXPENDED BALANCES.—Unex-  
25 pended balances of appropriations, authoriza-

1              tion, allocations, or other funds related to the  
2              Manufacturing USA Program of the Advanced  
3              Manufacturing National Program Office shall  
4              be available for use by the Institute for pur-  
5              poses for which the appropriations, authoriza-  
6              tions, allocations, or other funds were originally  
7              made available.

8              (D) TECHNICAL AND CONFORMING  
9              AMENDMENTS.—Section 34 of the National In-  
10              stitute of Standards and Technology Act (15  
11              U.S.C. 278s) is amended—

12              (i) in subsection (a)—  
13                  (I) by redesignating paragraph  
14                  (2) as paragraph (3); and  
15                  (II) by inserting after paragraph  
16                  (1) the following:

17              “(2) MANUFACTURING DIRECTOR.—The term  
18              ‘Manufacturing Director’ means the Director of the  
19              National Institute of Manufacturing.”;

20              (ii) in subsection (b)—  
21                  (I) in paragraph (1), by striking  
22                  “The Secretary shall establish within  
23                  the Institute” and inserting “There is  
24                  within the National Institute of Man-  
25                  ufacturing”;

(II) in paragraph (3), in the matter preceding subparagraph (A), by striking “The Secretary, acting through the Director” and inserting “The Manufacturing Director, acting through the Directorate for the Industrial Commons of the National Institute of Manufacturing”; and

(III) in paragraph (4)—

10 (aa) in the paragraph head-  
11 ing, by inserting “MANUFAC-  
12 TURING” before “DIRECTOR”;

(bb) by striking “Secretary” and inserting “Manufacturing Director”; and

16 (cc) by striking “Director”  
17 and inserting “Directorate for  
18 the Industrial Commons of the  
19 National Institute of Manufac-  
20 turing”;

1           “Secretary” and inserting “Manufacturing  
2           Director”;

3                 (iv) in subsection (e)(1), by striking  
4                 “the Secretary and the Secretary of En-  
5                 ergy” and inserting “the Manufacturing  
6                 Director and the Secretary of Energy”;

7                 (v) in subsection (g), by amending  
8                 paragraph (1) to read as follows:

9                 “(2) AUTHORITY.—To the extent provided for  
10                 in advance by appropriations Acts, the Manufac-  
11                 turing Director may use an amount not to exceed  
12                 \$5,000,000 for each of fiscal years 2019 through  
13                 2024 to carry out this section from amounts appro-  
14                 priated to the National Institute of Manufacturing.”;

15                 (vi) in subsection (h)(1), by striking  
16                 “The Secretary shall establish, within the  
17                 Institute,” and inserting “There is within  
18                 the Directorate for the Industrial Com-  
19                 mons of the National Institute of Manufac-  
20                 turing”; and

21                 (vii) in subsection (i)(1), in the para-  
22                 graph heading, by striking “SECRETARY”  
23                 and inserting “MANUFACTURING DIREC-  
24                 TOR”.

(F) RULE OF CONSTRUCTION FOR CENTERS OF MANUFACTURING INNOVATION.—

Nothing in this Act shall be construed to affect, or require the transfer to the Institute of, any Federal financial assistance that is provided to a center for manufacturing innovation by any Federal entity other than the Institute under the Manufacturing USA Program of the Advanced Manufacturing National Program Office.

18                   (4) MANUFACTURING ENGINEERING EDU-  
19                   CATION PROGRAM.—

(A) TRANSFER OF FUNCTIONS.—All functions of the Manufacturing Engineering Education Program of the Department of Defense, including the personnel, assets, and obligations of the Manufacturing Engineering Education Program of the Department of Defense, as in

1           existence on the day before the date of enact-  
2       ment of this Act, shall be transferred to the Di-  
3       rectorate for Education and Workforce Develop-  
4       ment of the Institute.

5           (B) DEEMING OF NAME.—Any reference in  
6       law, regulation, document, paper, or other  
7       record of the United States to the Manufac-  
8       turing Engineering Education Program of the  
9       Department of Defense shall be deemed a ref-  
10      erence to the Manufacturing Engineering Edu-  
11      cation Program of the Institute.

12           (C) UNEXPENDED BALANCES.—Unex-  
13      pended balances of appropriations, authoriza-  
14      tion, allocations, or other funds related to the  
15      Manufacturing Engineering Education Program  
16      of the Department of Defense shall be available  
17      for use by the Institute for purposes for which  
18      the appropriations, authorizations, allocations,  
19      or other funds were originally made available.

20           (D) TECHNICAL AND CONFORMING  
21      AMENDMENTS.—Section 2196 of title 10,  
22      United States Code, is amended—

23                  (i) in subsection (a)—  
24                           (I) in paragraph (1), by striking  
25                           “Secretary of Defense” and inserting

1                   “Director of the National Institute of  
2                   Manufacturing (referred to in this  
3                   section as the ‘Director’), acting  
4                   through the Directorate for Education  
5                   and Workforce Development of the  
6                   National Institute of Manufacturing”;

7                   (II) in paragraph (3)—  
8                   (aa) by striking “The Sec-  
9                   retary” and inserting “The Di-

10                  rector”; and

11                  (bb) by striking “as the Sec-  
12                  retary” and inserting “as the Di-  
13                  rector”; and

14                  (III) in paragraph (4), by strik-  
15                  ing “Secretary” and inserting “Direc-  
16                  tor”;

17                  (ii) in subsection (b), by striking  
18                  “Secretary” and inserting “Director”;

19                  (iii) in subsection (d)(1)(A), by strik-  
20                  ing “Secretary” and inserting “Director”;

21                  (iv) in subsection (e), by striking  
22                  “Secretary of Defense” and inserting “Di-  
23                  rector”;

24                  (v) in subsection (f), by striking “Sec-  
25                  retary” and inserting “Director”; and

(vi) in subsection (g), in the matter preceding paragraph (1), by striking “Secretary” and inserting “Director”.

(A) TRANSFER OF FUNCTIONS.—All functions of the Hollings Manufacturing Extension Partnership Program of the National Institute of Standards and Technology, including the personnel, assets, and obligations of the Hollings Manufacturing Extension Partnership Program of the National Institute of Standards and Technology, as in existence on the day before the date of enactment of this Act, shall be transferred to the Directorate for Small and Medium Manufacturers of the Institute.

(B) DEEMING OF NAME.—Any reference in law, regulation, document, paper, or other record of the United States to the Hollings Manufacturing Extension Partnership Program of the National Institute of Standards and Technology shall be deemed a reference to the Hollings Manufacturing Extension Partnership Program of the Directorate for Small and Medium Manufacturers of the Institute.

(C) UNEXPENDED BALANCES.—Unexpended balances of appropriations, authorization, allocations, or other funds related to the Hollings Manufacturing Extension Partnership Program of the National Institute of Standards and Technology shall be available for use by the Institute for purposes for which the appropriations, authorizations, allocations, or other funds were originally made available.

10 (D) TECHNICAL AND CONFORMING  
11 AMENDMENTS.—Section 25 of the National In-  
12 stitute of Standards and Technology Act (15  
13 U.S.C. 278k) is amended—

14 (i) in subsection (a)—

19               “(7) MANUFACTURING DIRECTOR.—The term  
20               ‘Manufacturing Director’ means the Director of the  
21               National Institute of Manufacturing.”;

(ii) in subsection (b), by striking  
“Secretary, acting through the Director”  
and inserting “Manufacturing Director,  
acting through the Directorate for Small

1 and Medium Manufacturers of the Na-  
2 tional Institute of Manufacturing”;

3 (iii) in subsection (e), by striking  
4 “Secretary” each place that term appears  
5 and inserting “Manufacturing Director”;

6 (iv) in subsection (f), by striking  
7 “Secretary” each place that term appears  
8 and inserting “Manufacturing Director”;

9 (v) in subsection (g)—

10 (I) by striking “Secretary” each  
11 place that term appears and inserting  
12 “Manufacturing Director”; and

13 (II) in paragraph (2), in the  
14 paragraph heading, by striking “SEC-  
15 RETARY” and inserting “MANUFAC-  
16 TURING DIRECTOR”;

17 (vi) in subsection (h), by striking  
18 “Secretary” each place that term appears  
19 and inserting “Manufacturing Director”;

20 (vii) in subsection (i), by striking  
21 “Not” and all that follows through “the  
22 Secretary” and inserting “Not later than  
23 180 days after the date of enactment of  
24 the National Institute of Manufacturing  
25 Act, the Manufacturing Director”;

1 (viii) in subsection (k), by inserting  
2 “Manufacturing” before “Director” each  
3 place that term appears;

4 (ix) in subsection (l)—

5 (I) by striking “the Secretary  
6 and the Director” and inserting “the  
7 Manufacturing Director”; and

11 (x) in subsection (n)—

16 (II) in paragraph (2), by striking  
17 “Secretary” and inserting “Manufac-  
18 turing Director”.

19 (6) MANUFACTURING EXTENSION PARTNERSHIP

## 20 ADVISORY BOARD

1           facturing Extension Partnership Advisory  
2           Board of the National Institute of Standards  
3           and Technology, as in existence on the day be-  
4           fore the date of enactment of this Act, shall be  
5           transferred to the Institute.

6           (B) DEEMING OF NAME.—Any reference in  
7           law, regulation, document, paper, or other  
8           record of the United States to the Manufac-  
9           turing Extension Partnership Advisory Board  
10           of the National Institute of Standards and  
11           Technology shall be deemed a reference to the  
12           Manufacturing Extension Partnership Advisory  
13           Board of the Institute.

14           (C) UNEXPENDED BALANCES.—Unex-  
15           pended balances of appropriations, authoriza-  
16           tion, allocations, or other funds related to the  
17           Manufacturing Extension Partnership Advisory  
18           Board of the National Institute of Standards  
19           and Technology shall be available for use by the  
20           Institute for purposes for which the appropria-  
21           tions, authorizations, allocations, or other funds  
22           were originally made available.

23           (D) TECHNICAL AND CONFORMING  
24           AMENDMENTS.—Section 25(m) of the National

1           Institute of Standards and Technology Act (15  
2           U.S.C. 278k(m)) is amended—

3                 (i) in paragraph (1), by striking “In-  
4                 stitute” and inserting “National Institute  
5                 of Manufacturing”;  
6                 (ii) in paragraph (3)(B), by inserting  
7                 “Manufacturing” before “Director”; and  
8                 (iii) in paragraph (5)(A), by striking  
9                 “Secretary” and inserting “Manufacturing  
10                 Director”.

11                 (7) OFFICE OF MANUFACTURING.—

12                 (A) TRANSFER OF FUNCTIONS.—All func-  
13                 tions of the Office of Manufacturing of the  
14                 International Trade Administration of the De-  
15                 partment of Commerce, including the personnel,  
16                 assets, and obligations of the Office of Manu-  
17                 facturing of the International Trade Adminis-  
18                 tration of the Department of Commerce, as in  
19                 existence on the day before the date of enact-  
20                 ment of this Act, shall be transferred to the Of-  
21                 fice of Manufacturer Trade described in sub-  
22                 section (e)(5)(A).

23                 (B) DEEMING OF NAME.—Any reference in  
24                 law, regulation, document, paper, or other  
25                 record of the United States to the Office of

1           Manufacturing of the International Trade Ad-  
2           ministration of the Department of Commerce  
3           shall be deemed a reference to the Office of  
4           Manufacturer Trade of the Directorate on  
5           Trade of the Institute.

6           (C) UNEXPENDED BALANCES.—Unex-  
7           pended balances of appropriations, authoriza-  
8           tion, allocations, or other funds related to the  
9           Office of Manufacturing of the International  
10          Trade Administration of the Department of  
11          Commerce shall be available for use by the In-  
12          stitute for purposes for which the appropria-  
13          tions, authorizations, allocations, or other funds  
14          were originally made available.

15          (8) MATERIALS PROCESSING EQUIPMENT TECH-  
16          NICAL ADVISORY COMMITTEE.—

17           (A) TRANSFER OF FUNCTIONS.—All func-  
18           tions of the Materials Processing Equipment  
19           Technical Advisory Committee of the Bureau of  
20           Industry and Security of the Department of  
21           Commerce, including the personnel, assets, and  
22           obligations of the Materials Processing Equip-  
23           ment Technical Advisory Committee of the Bu-  
24           reau of Industry and Security of the Depart-  
25           ment of Commerce, as in existence on the day

1 before the date of enactment of this Act, shall  
2 be transferred to the Institute.

3 (B) DEEMING OF NAME.—Any reference in  
4 law, regulation, document, paper, or other  
5 record of the United States to the Materials  
6 Processing Equipment Technical Advisory Com-  
7 mittee of the Bureau of Industry and Security  
8 of the Department of Commerce shall be  
9 deemed a reference to the Materials Processing  
10 Equipment Technical Advisory Committee of  
11 the Institute.

12 (C) UNEXPENDED BALANCES.—Unex-  
13 pended balances of appropriations, authoriza-  
14 tion, allocations, or other funds related to the  
15 Materials Processing Equipment Technical Ad-  
16 visory Committee of the Bureau of Industry  
17 and Security of the Department of Commerce  
18 shall be available for use by the Institute for  
19 purposes for which the appropriations, author-  
20 izations, allocations, or other funds were origi-  
21 nally made available.

22 (j) REORGANIZATION PLAN AND TRANSITIONAL PRO-  
23 VISIONS.—

24 (1) REORGANIZATION PLAN.—

1                                 (A) SUBMISSION OF PLAN.—Not later than  
2                                 90 days after the date of enactment of this Act,  
3                                 the President shall transmit to the appropriate  
4                                 congressional committees a reorganization plan  
5                                 regarding—

6   (i) the transfer of functions, per-  
7   sonnel, assets, and obligations to the Insti-  
8   tute under subsection (i); and

9   (ii) any consolidation, reorganization,  
10   or streamlining of any entity transferred to  
11   the Institute under subsection (i).

12   (B) PLAN ELEMENTS.—The plan trans-  
13   mitted under subparagraph (A) shall contain,  
14   consistent with this Act, such elements as the  
15   President determines to be appropriate, includ-  
16   ing—

17   (i) an identification of any functions  
18   of entities transferred to the Institute  
19   under subsection (i) that will not be trans-  
20   ferred to the Institute under the plan;

21   (ii) a specification of the steps to be  
22   taken by the Director to organize the Insti-  
23   tute, including the delegation or assign-  
24   ment of functions transferred to the Insti-  
25   tute among officers of the Institute in

1                   order to permit the Institute to carry out  
2                   the functions transferred under the plan;

3                   (iii) a specification of the funds avail-  
4                   able to each entity that will be transferred  
5                   to the Institute as a result of transfers  
6                   under the plan;

7                   (iv) a specification of the proposed al-  
8                   locations within the Institute of unex-  
9                   pended funds transferred in connection  
10                  with transfers under the plan; and

11                  (v) a specification of any proposed  
12                  disposition of property, facilities, contracts,  
13                  records, and other assets and obligations of  
14                  entities transferred under the plan.

15                  (C) MODIFICATION OF PLAN.—The Presi-  
16                  dent may, on the basis of consultations with the  
17                  appropriate congressional committees, modify  
18                  or revise any part of the plan until that part of  
19                  the plan becomes effective in accordance with  
20                  subparagraph (D).

21                  (D) EFFECTIVE DATE.—

22                  (i) IN GENERAL.—The reorganization  
23                  plan described in this paragraph, including  
24                  any modifications or revisions of the plan  
25                  under subparagraph (C), shall become ef-

1           fective for an entity in the Institute de-  
2           scribed in subsection (i) on the earlier of—  
3                           (I) the date specified in the plan  
4                           (or the plan as modified pursuant to  
5                           subparagraph (C)), except that such  
6                           date may not be earlier than 90 days  
7                           after the date the President has  
8                           transmitted the reorganization plan to  
9                           the appropriate congressional commit-  
10                          tees pursuant to subparagraph (A); or  
11                           (II) the end of the transition pe-  
12                          riod.

13                       (ii) STATUTORY CONSTRUCTION.—  
14                       Nothing in this subparagraph may be con-  
15                       strued to require the transfer of functions,  
16                       personnel, records, balances of appropria-  
17                       tions, or other assets of an entity on a sin-  
18                       gle date.

19                       (iii) SUPERSEDES EXISTING LAW.—  
20                       Clause (i) shall apply notwithstanding sec-  
21                       tion 905(b) of title 5, United States Code.

22                       (2) TRANSITIONAL AUTHORITIES.—

23                       (A) PROVISION OF ASSISTANCE BY OFFI-  
24                       CIALS.—Until the transfer of an entity to the  
25                       Institute, any official having authority over or

1       functions relating to the entity as of the day be-  
2       fore the date of enactment of this Act shall pro-  
3       vide to the Director such assistance, including  
4       the use of personnel and assets, as the Director  
5       may request in preparing for the transfer and  
6       integration of the entity into the Institute.

7                     (B) SERVICES AND PERSONNEL.—During  
8       the transition period, upon the request of the  
9       Secretary, the head of any executive agency  
10      may, on a reimbursable basis, provide services  
11      or detail personnel to assist with the transition.

12                     (3) INCIDENTAL TRANSFERS.—The Director of  
13      the Office of Management and Budget, in consulta-  
14      tion with the Chief Manufacturing Officer, shall  
15      make such additional incidental dispositions of per-  
16      sonnel, assets, and liabilities held, used, arising  
17      from, available, or to be made available, in connec-  
18      tion with the functions transferred by subsection (i),  
19      as the Director of the Office of Management and  
20      Budget may determine necessary to accomplish the  
21      purposes of this Act.

22   **SEC. 4. NATIONAL MANUFACTURING COUNCIL.**

23                     (a) ESTABLISHMENT.—There is established in the  
24      Department of Commerce the “National Manufacturing  
25      Council”.

1       (b) MISSION.—The mission of the Council shall be

2 to—

3           (1) ensure regular communication between the  
4           Federal Government and the manufacturing sector  
5           in the United States;

6           (2) advise the Chief Manufacturing Officer on  
7           government policies and programs that affect United  
8           States manufacturing and provide a forum for dis-  
9           cussing and proposing solutions to industry-related  
10          problems; and

11          (3) ensure that the United States remains the  
12          preeminent destination for investment in manufac-  
13          turing throughout the world.

14       (c) DUTIES.—The duties of the Council shall in-  
15 clude—

16           (1) meeting from time to time to provide inde-  
17           pendent advice and recommendations to the Chief  
18           Manufacturing Officer or the Secretary regarding  
19           issues involving United States manufacturing;

20           (2) completing specific tasks requested by the  
21           Chief Manufacturing Officer or the Secretary;

22           (3) conveying input from key industry, labor,  
23           academic, defense, government, and other stake-  
24           holders to aid in the development of the national

1 strategic plan for manufacturing in the United  
2 States;

3 (4) monitoring the status of technological develop-  
4 opments, critical production capacity, skill avail-  
5 ability, investment patterns, emerging defense needs,  
6 and other key indicators of manufacturing competi-  
7 tiveness to provide foresight for periodic updates to  
8 the national strategic plan for manufacturing;

9 (5) soliciting input from the public and private  
10 sector and academia regarding emerging trends in  
11 manufacturing, the responsiveness of Federal pro-  
12 gramming, and suggestions for areas of increased  
13 Federal attention;

14 (6) monitoring global manufacturing trends and  
15 global threats to manufacturing sectors in the  
16 United States; and

17 (7) providing input and improvements for the  
18 manufacturing.gov hub developed under section 7(a)  
19 to—

20 (A) help that hub become the principal  
21 place of interaction between manufacturers in  
22 the United States and the Federal manufac-  
23 turing programs described in section 7(b)(1);

24 and

1                             (B) provide input on providing Federal as-  
2                             sistance for manufacturers relating to—  
3                                 (i) international trade and investment  
4                             matters;  
5                                 (ii) research and technology develop-  
6                             ment opportunities;  
7                                 (iii) workforce development and train-  
8                             ing programs and opportunities;  
9                                 (iv) small and medium manufacturer  
10                             needs; and  
11                                 (v) industrial commons and supply  
12                             chains needs.

13                             (d) CHARTER.—The Council shall develop a charter  
14                             to govern the structure and mission of the Council.

15                             (e) MEMBERSHIP.—

16                                 (1) IN GENERAL.—The Council shall consist of  
17                             individuals with a balance of backgrounds, experi-  
18                             ences, and viewpoints, and shall include individuals  
19                             that directly represent private industry, academia,  
20                             and labor.

21                                 (2) PUBLIC PARTICIPATION.—The nomination  
22                             process for membership on the Council shall include  
23                             a public nomination process to the maximum extent  
24                             practicable.

1           (f) TRANSFER OF FUNCTIONS.—All functions of the  
2 United States Manufacturing Council of the International  
3 Trade Administration of the Department of Commerce, in-  
4 cluding the personnel, assets, and obligations of the  
5 United States Manufacturing Council of the International  
6 Trade Administration of the Department of Commerce, as  
7 in existence on the day before the date of enactment of  
8 this Act, shall be transferred to the Office of the Chief  
9 Manufacturer.

10           (1) DEEMING OF NAME.—Any reference in law,  
11 regulation, document, paper, or other record of the  
12 United States to the United States Manufacturing  
13 Council of the International Trade Administration of  
14 the Department of Commerce shall be deemed a ref-  
15 erence to the National Manufacturing Council.

16           (2) UNEXPENDED BALANCES.—Unexpended  
17 balances of appropriations, authorization, alloca-  
18 tions, or other funds related to the United States  
19 Manufacturing Council of the International Trade  
20 Administration of the Department of Commerce  
21 shall be available for use by the Chief Manufac-  
22 turing Officer for which the appropriations, author-  
23 izations, allocations, or other funds were originally  
24 made available.

1       (g) PERMANENT AUTHORITY.—Notwithstanding sec-  
2 tion 14 of the Federal Advisory Committee Act (5 U.S.C.  
3 App.), the Council shall be a permanent authority.

4 **SEC. 5. NATIONAL STRATEGIC PLAN FOR MANUFACTURING.**

5       Not later than January 1 of the first calendar year  
6 beginning after the date of enactment of this Act, and  
7 each January 1 thereafter, the Chief Manufacturing Offi-  
8 cer shall submit to Congress a report that includes—

9                 (1) an evaluation of activities and accomplish-  
10          ments of all Federal agencies related to carrying out  
11          the national strategic plan for manufacturing;

12                 (2) updates on, and recommendations for, the  
13          transference of any governmental entities to the In-  
14          stitute; and

15                 (3) recommendations for legislation to carry out  
16          the national strategic plan for manufacturing.

17 **SEC. 6. REMOVAL OF NATIONAL STRATEGIC PLAN FOR AD-**  
18 **VANCED MANUFACTURING.**

19       Section 102 of the America COMPETES Reauthor-  
20 ization Act of 2010 (42 U.S.C. 6622) is amended—

21                 (1) in subsection (b)—

22                         (A) in paragraph (5), by adding “and” at  
23                             the end;

24                         (B) in paragraph (6), by striking “; and”  
25                             and inserting a period; and

(C) by striking paragraph (7); and  
(2) by striking subsection (c).

### 3 SEC. 7. MANUFACTURING.GOV HUB.

4       (a) ESTABLISHMENT.—Not later than 1 year after  
5 the date of enactment of this Act, the Chief Manufac-  
6 turing Officer, in coordination with the Chief Information  
7 Officer of the Department of Commerce, shall modify the  
8 website of the Department of Commerce to establish a sec-  
9 tion of the website to be known as the “manufacturing.gov  
10 hub”

(b) FUNCTIONS.—The manufacturing.gov hub established under subsection (a) shall—

13                             (1) serve as the primary hub for information re-  
14                             lating to every Federal manufacturing program, in-  
15                             cluding the programs identified in the March 28,  
16                             2017, report of the Government Accountability Of-  
17                             fice entitled “U.S. Manufacturing” (GAO 17-240);

18                   (2) provide the contact information of employ-  
19        ees of the Federal manufacturing programs de-  
20        scribed in paragraph (1);

1                   (4) establish web pages within the hub that  
2       shall focus on—

3                   (A) technology and research and develop-  
4       ment;

5                   (B) trade;

6                   (C) workforce development and training;

7                   (D) industrial commons and supply chains;

8       and

9                   (E) small and medium manufacturers; and

10                  (5) use machine learning to identify and dis-  
11       seminate answers to frequently asked questions to  
12       the public.

13 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

14       There is authorized to be appropriated to the Insti-  
15       tute such sums as may be necessary to carry out this Act.

